

<p>Nationwide Permits {This chart last modified on 6/20/02} Changes to NWP's published 15 Jan 2002 in <u>Yellow Highlight and Bold.</u></p>	Authority(s)	PCN Req'd (Agency PCN if greater than 1/2 acre)	Delineation Req'd (Y/N)	<p>Descriptions & Clarifications <i>(Disclaimer - This table is intended as a general overview only of the Nationwide Permits available. This does not preclude the need to read the Nationwide Permits in their entirety.)</i></p>	State of TX & SWG Regional Conditions (Y/N)	TX CMP	401 BMP;s Req'd for TX	State of LA Regional Conditions (Y/N)	LA CMP Y/N	LA 401 Y/N	Area of Jurisdiction All Waters (Unless Otherwise Noted)
NWP 1. <i>Aids to Navigation</i>	10	No PCN	N	The placement of aids to navigation and Regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 2. <i>Structures in Artificial Canals</i>	10	No PCN	N	Structures constructed in artificial canals within principally residential developments where the connection of the canal to a navigable water of the U.S. has been previously authorized.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 3. <i>Maintenance</i>	10/404			½ Acre Cap Not to be used with NWP 18 or 19.	Y (# 1)	Y	1 & 2	Y (#'s 4, 5, 6, 10)	N	Y	
(i) ..Repair, Rehab, Replace		No PCN	N	Activities related to the repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure or fill, or of any currently serviceable structures or fill authorized by 33 CFR 330.3, provided that the structue or fill is not to be put to uses differing from those uses specified or contemplated for in the original permit or the most recently authorized modification.							
(ii) ..Accumulated Sediment		PCN	N	Removal is limited to the minimum necessary to restore waterway; 200 linear foot limit in any direction from structure. Discharge & excavation to remove accumulated sediment around existing structures. All excavated materials must be deposited and retained on uplands unless authorized by the DE under separate authorization.							
(iii) ..Storm, Flood, Discrete Events		PCN	N	PCN must be within 12 months of the date of damage; Proof must be shown of pre-existing & current conditions. Discharge & excavation to restore uplands damage by storm, flood or other discrete events. Minor dredging to remove obstructions.							
NWP 4. <i>Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities</i>	10/404	No PCN	N	Fish and wildlife harvesting devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging; and small fish attraction devices such as open water fish concentrators (sea kites, etc.) Shellfish seeding not to occur in vegetated shallows replaced with sites where subaquatic vegetation is documented to exist. This NWP does not authorize artificial reefs or impoundments and semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster or the use of covered oyster trays or clam racks.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 5. <i>Scientific Measurement Devices</i>	10/404	PCN	N	Devices whose purpose is to measure & record scientific data. Discharges of 10-25 cu. yds. =Corps PCN. Total discharge limited to 25 cu. yds.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 6. <i>Survey Activities</i>	10/404	Depends	N	PCN to Corps for 3-D Seismic Activities, otherwise PCN not required. Survey activities including ..soil survey & sampling & historic resource surveys (not recovery). Does not authorize permanent structures or discharges.	Y (#'s 1 & 6)	Y	NA	Y (#'s 2, 4, 5, 6, 10)	Y	Y	
NWP 7. <i>Outfall Structures and Maintenance</i>	10/404			Activities related to construction of outfall structures and associated intake structures where the effluent from the outfall is authorized, conditionally authorized, or specifically exempted, or are otherwise in compliance with the regulations issued under the NPDES program (Section 402 of the Clean Water Act), provided that the permittee notifies the DE in accordance with the "Notification" general condition (PCN). Intake structures per se are not included - only those directly associated with an outfall structure.	Y (#'s 1 & 7)	Y	1 & 2	Y (#'s 4, 5, 6, 10, 12)	N	Y	
(i)...Construction of outfall structures		PCN	Y	Outfall is authorized, conditionally authorized or exempted under TPDES Program. PCN must include original design configuration, where excavation is proposed.							
(ii)...Removal of sediments blocking outfall & intake structures, small impoundments & canals		PCN	Y	Amount of material removed is minimum necessary to restore to original design capacity. Excavated material placed in an upland placement area unless otherwise approved by DE under separate authorization.							
NWP 8. <i>Oil and Gas Structures</i>	10	No PCN	N	Corps review is limited to the effects on navigation & national security in accordance with 33 CFR 322.5(f). Structures for the exploration, production, and transportation of oil, gas, and minerals on the outer continental shelf within areas leased for such purposes by the Dept. of Interior and MMS. (Fairway & Anchorage areas reviewed under Individual Permit)	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 9. <i>Structures in Fleeting and Anchorage Areas</i>	10	No PCN	N	Structures, buoys, floats and other devices placed within anchorage or fleeting areas to facilitate moorage of vessels where such areas have been established for that purposed by the U.S. Coast Guard.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 10. <i>Mooring Buoys</i>	10	No PCN	N	Non-commercial, single-boat, mooring buoys.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 11. <i>Temporary Recreational Structures</i>	10	No PCN	N	Temporary buoys, markers, small floating docks, and similar structures placed for recreational use during specific events such as water skiing competitions and boat races or seasonal use provided that such structures are removed within 30 days after use has been discontinued. At COE reservoirs, the reservoir manager must approve each buoy or marker individually.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	Y	

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NWP 12. <i>Utility Line Activities</i>	10/404			Activities required for the construction, maintenance, or repair of utility lines and associated facilities in waters of the U.S. PCN required if: Mechanized land clearing in a forested wetland for ROW; section 10 permit required; utility line in waters of the U.S. is > 500 ft; utility line is in a waters of the U.S. & parallel to a stream bed; discharges with substations result in > 1/10th acre loss of waters of the U.S.; permanent access roads (above grade) >500 ft; permanent access roads constructed with impervious materials. Total permanent loss for all actions can't exceed 1/2-acre. Where certain functions and values of waters of the U.S. are permanently adversely affected (ie. coversion of forested wetland to herbaceous wetland in the permanently maintained ROW, mitigation will be required to reduce adverse affects.	Y (#'s 1, 5, & 7)	Y	1, 2, & 3	Y (#'s 3, 4, 5, 6, 7, 10)	N	Y	
(i)...Utility Lines		Depends	Y	Includes outfall and intake structures and the associated excavation, backfill, or bedding for the utility lines, provided there is no change in preconstruction contours. Material resulting from the trench excavation may be temporarily sidecast (up to 3 months) into waters of the U.S., provided material is placed so that it is not dispersed by currents or other forces.							
(ii)...Utility Line Substation		Depends	Y	Construction, maintenance or expansion of a substation facility associated with a power or utility line provided the activity does not result in the loss of greater than 1/2-acre of non-tidal waters of the U.S.							Nontidal waters excluding nontidal wetlands adjacent to tidal waters
(iii)...Foundations for overhead utility line towers, poles & anchors		Depends	Y	Foundations are minimum size necessary; separate footings for each tower leg where feasible. Construction, maintenance of foundations for overhead utility lines, towers & anchors.							
(iv)...Access Roads		Depends	Y	Construction of access roads for the construction & maintenance of utility lines, overhead power lines, and utility substations. Access roads are minimum width & length necessary; bridged or culverted to maintain surface flows.							Nontidal waters excluding nontidal wetlands adjacent to tidal waters
NWP 13. <i>Bank Stabilization</i>	10/404	Depends	N	PCN for > 500 linear feet, or greater than fill amount cited below. No fill in wetlands. Bank stablization activities necessary for erosion prevention provided all criteria is met. (minimum needed, less that 500 LF, does not exceed an average of 1 cu yd per running foot place along the bank below OHWM or HTL, no material placed in any special aquatic site, including wetlands, does not impair surface water flow into or out of any wetland area, no material placed in a manner that will be eroded by normal or expected high flows, and single and complete project)	N	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 14. <i>Linear Transportation Crossings</i>	10/404	Depends	Y	PCN if: Discharge causes loss of > 1/10 acre waters of the U.S. or discharge is in a special aquatic site, including wetlands. For discharges in special aquatic sites: PCN must include mitigation. PCN must include mitigation, onsite alternative analysis and a statement describing how temporary losses will be minimized to the maximum extent practicable. With a fill, is limited to a minimum necessary. Can't be used to authorize nonlinear features. Does not authorize stream channelization. All linear transportation projects limited to 1/2 acre in non-tidal and 1/3 acre in tidal. Discharges in special aquatic sites, including wetlands, must include a delineation of the affected special aquatic sites.	Y (#'s 1, 7, & 8)	Y	1, 2, & 3	Y (#'s 3, 4, 5, 6, 10)	N	Y	Tidal and Nontidal Wateres
NWP 15. <i>U.S. Coast Guard Approved Bridges</i>	404	No PCN	N	Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the U.S., including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided such discharges have been authorized by the USCG as part of the bridge permit. Causeways and approach fills are not included in this NWP.	N	Y	1, 2	Y (#'s 5, 6, 6, 10)	Y	Y	Navigable waters
NWP 16. <i>Return Water From Upland Contained Disposal Areas</i>	404			Return water from upland, contained dredged material disposal area. USE OF THIS NWP HAS NOT BEEN AUTHORIZED BY SWD. APPLICANT'S NEED TO OBTAIN AN INDIVIDUAL WATER QUALITY CERTIFICATION FROM TNRCC.	N	Y	NA	Y (#'s 4,5, 6, 10)	Y	Y	
NWP 17. <i>Hydropower Projects</i>	404	PCN	N	Discharges of dredged or fill material associated with small hydropower projects at existing reservoirs where the project, which includes the fill are licensed by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act of 1920, as amended or hydropower projects for which the FERC has granted an exemption from licensing pursuant to section 408 of the Energy Security Act of 1980 and section 30 of the Feder Power Act, as ammended.	N	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	Y	Y	Existing Reservoirs
NWP 18. <i>Minor Discharges</i>	10/404	PCN	Y	Minor discharges of dredged or fill material into all waters of the U.S. if quantity of discharge material and volume of excavation < or = 25 cu. yds. below OHWM or HTL and discharge does not cause loss of > 1/10-acre special aquatic site, including wetlands. PCN if over 10 cu yds or if any discharge in a special aquatic site. PCN must include delineation of affected special aquatic sites. For the purpose of this NWP the acreage limitation includes the filled area and excavated area plus special aquatic sites that are adversely affected by flooding and special aquatic sites that are drained so that they would no longer be a water of the U.S. as a result of the project. Can't be used with NWP 3 for storm restoration.	Y (#'s 1, 7, & 8)	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 19. <i>Minor Dredging</i>	10/404		N	Dredging limited to 25 cu. yds. below OHWM or HTL of Section 10 waters. No dredging in special aquatic sites, or to connect to navigable waters. Can't be used with NWP 3 for storm restoration.	Y (#'s 1 & 7)	Y	1, 2	Y (4, 5, 6, 10)	Y	Y	

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NWP 20. <i>Oil Spill Cleanup</i>	10/404	No PCN	N	Activities required for the containment and cleanup of oil and hazardous substances which are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300) provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3 and any existing state contingency plan and provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and cleanup action.	N	Y	NA	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 21. <i>Surface Coal Mining Activities</i>	10/404	PCN	Y	Must include an OSM or state approved mitigation plan. NWP applies strictly to coal excavation area. Require case by case review to ensure minimal adverse effect on aquatic environment and adequate mitigation. Clarify the evaluation of impacts to the aquatic environment. Re-Evaluate NWP 21 when mountain top mining/valley fill EIS is complete. THIS NWP IS NOT USED IN THE GALVESTON DISTRICT.	N	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	NA	NA	
NWP 22. <i>Removal of Vessels</i>	10/404	No PCN	N	Temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disables vessels, or the removal of man-made obstructions to navigation. Does not authorize removal of vessels listed or determined eligible for listing on the National Register of Historic Places unless DE is notified and indications that there is compliance with the "Historic Properties" General Condition.	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 23. <i>Approved Categorical Exclusions</i>	10/404	No PCN	N	Activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by another Federal agency or department where that agency or department has determined, pursuant to the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR part 1500 et seq.), that the activity, work, or discharge is categorically excluded from environmental documentation.	N	Y	NA	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 24. <i>State Administered Section 404 Program</i>	10	No PCN	N	Any activity permitted by a state administering its own Section 404 permit program pursuant to 33 U.S.C. 1344(g)-(l) is permitted pursuant to Section 10 of the Rivers and Harbors Act of 1899.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	
NWP 25. <i>Structural Discharges</i>	404	No PCN	N	Discharges of material such as concrete, sand, rock, etc., into tightly sealed forms or celss where the material will be used as a structural member for standard pile supported structures, such as bridges, transmission line footings, and walkways for general navigation, such as mooring cells, including the excavation of bottom material from within the form prior to discharge of concrete, sand, rock, etc. Side-casting of material for construction is appropriate if at a minimum. Does not authorize building pads and filled structural members that would support buildings. The structure may require a Section 10 permit if located in navigable waters of the U.S.	Y (#'s 1 & 7)	Y	1, 2	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 27. <i>Stream and Wetland Restoration Activities</i>	10/404			NWP now includes restoration of former waters, enhancement of degraded tidal & nontidal wetlands & riparian areas, the creation of tidal & nontidal wetlands & riparian areas, the restoration & enhancement of nontidal streams & nontidal open waters. PCN must include prior conditioning of site to be reverted. NOTE: Simplified from 4 to 3 provisions. Combined provisions (a)(2) Any Federal land and (a)(4) Any private or public land. List as provision (a)(3) Any other public, private or tribal land. Activities include, but are not limited to: the removal of accumulated sediments; installation, removal, and maintenance of small water control structures, dikes, and berms, the installation of current deflectors; the enhancement, restoration, or creation of riffle and pool stream structure, the placement of in-stream habitat structures; modifications of the stream bed and/or banks to restore or create stream meanders, the backfilling of artificial channels and drainage ditches, the removal of existing drainage structures, the construction of small nesting islands, the construction of open water areas, etc.	Y (# 1)	Y	1, 2	Y (#'s 3, 4, 5, 6, 10, 11)	N	Y	
(i)...Non federal public lands & private lands		PCN	N	Permittee must have agreement with NRCS or FWS, NMFS & NOS.							
(ii)...Reclaimed surface coal mined lands.		PCN	N	Work is in accordance with Surface Mining Control & Reclamation Act [SMCR] Permit							
(iii)...Any other public, private or tribal land.		PCN	N	Added NMFS & NOS to paragraph (a)(1); Added "the construction of oyster habitat over unvegetated bottom in tidal waters" to the list of examples of activities authorized by this NWP; Modified the text of this NWP by adding the phrase "..., to the extent that a Corps permit is required,...." after the phrase "Activities authorized by this NWP include..."; Added the phrase "...and the planting of appropriate wetland species" after the phrase "...activities needed to re-establish vegetation..." and changing "... mechanized land clearing to remove undesirable vegetation..." to "...mechanized land clearing to remove non-native invasive, exotic or nuisance vegetation..." .	Y (# 1)						
NWP 28. <i>Modifications of Existing Marinas</i>	10	No PCN	N	Reconfiguration of existing docking facilities within an authorized marina area. No dredging, additional slips, dock spaces, or marina expansion authorized.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	NA	Section 10 waters

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NWP 29. <i>Single-Family Housing</i>	10/404	PCN	N	Discharges of dredged or fill material into non-tidal waters of the U.S., including non-tidal wetlands for the construction or expansion of a single-family home and attendant features provided all criteria are met. Mitigation may be required for impacts to higher value wetlands. A "No Fill" buffer should be used when applicable. 1/4 acre cap per parcel or 1/4-acre for entire subdivisions created on or after 22 Nov 1991; PCN for all impacts (See PCN requirements). Can't be used with NWP 14 & 18. Can only be used 1x/parcel	Y (#s 1 & 7)	Y	1, 2, & 3	Y (#'s 3, 4, 5, 6, 10)	N	Y	Nontidal waters of the U.S., nontidal wetlands.
NWP 30. <i>Moist Soil Management for Wildlife</i>	404	No PCN	No	Discharges of dredged or fill material and maintenance activities that are associated with moist soil management for wildlife performed on non-tidal land managed by Federal, state or local government agency. NWP does not authorize converting wetlands to waterbodies or uplands.	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	Y	Y	Nontidal waters of the U.S.
NWP 31. <i>Maintenance of Existing Flood Control Facilities</i>	10/404	PCN	Yes (To establish baselines)	Maintenance activities limited to estab. Maintenance Baseline. PCN for maintenance activities; PCN required prior to each maintenance or 5-yr. plan submitted; No time limits for maintenance intervals; Individual Water Quality Certification for projects const/maint > 1977. Clarified policy and requirements regarding: mitigation for maintenance activities and documentation requirements for baselines determination. Allow maintenance of areas that are part of a flood control facility without constructed channels can be done, provided best management practices are used to ensure minimal adverse effects.	N	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 32. <i>Completed Enforcement Actions</i>	10/404	No PCN	N	In compliance with written non judicial settlement or EPA Order: Provided: (i)a. U/A affected < or = 5 acres of nontidal wetlands or 1 acre of tidal wetlands; (i)b. Settlement provides environmental benefits > than detriments; (i)c. DE issues verification letter authorizing activity; or (ii). Meets wording in existing NWP; Other conditions apply & should be reviewed. Added Federal environmental legal resolutions (i.e. part iii); Added clarification that this NWP only applies to the extent that a Corps permit is required.	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 33. <i>Temporary Construction, Access and Dewatering</i>	10/404	PCN	N	Temporary fill must be removed to upland at completion of construction. Permanent structures/fills are not authorized. PCN includes restoration plans that will include timetable for removal of fill.	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 34. <i>Cranberry Production Activities</i>	404	PCN	Y	Notification must include delineation. Discharges of dredged or fill material for activities associated with expansion, enhancement, or modification activities at existing cranberry production operations provided all criteria are met.	N	Y	NA	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 35. <i>Maintenance Dredging of Existing Basins</i>	10	No PCN	N	Excavation and removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized depths or controlling the depths for ingress/egress, whichever is less, provided the dredged material is disposed of at and upland site with proper siltation controls. NWP is not for construction of marinas. Intent is to allow maintenance of navigation channels to marina basins. NWP is not for construction of marinas.	N	Y	NA	Y (#'s 4, 5, 6, 10)	N	NA	
NWP 36. <i>Boat Ramps</i>	10/404	No PCN	N	Activities required for the construction of boat ramps. Discharge does not exceed 50 cu yds of material, ramp does not exceed 20 feet in width, base material is crushed stone, gravel or other suitable material, excavation limited to minimum necessary and removed to uplands, and no material is placed in special aquatic sites, including wetlands. Does not include access dredging.	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	N	Y	
NWP 37. <i>Emergency Watershed Protection and Rehabilitation</i>	10/404	PCN	N	Added emergency work conducted or funded by the Department of the Interior's (DOI) Wildland Fire Rehabilitation Program. The DOI agencies included in this program are the Bureau of Land Management, Bureau of Indian Affairs, National Park Service, US Fish & Wildlife Service, and Bureau of Reclamation. Grammatical change, removing the "Work done or funded by " from the beginning of subsections "b" and "c" in order to be consistent with subsection "a".	N	Y	1, 2	Y (#'s 4, 5, 6, 10)	Y	Y	
NWP 38. <i>Cleanup of Hazardous and Toxic Waste</i>	10/404	PCN	Y	Specific activities required to effect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority provided the permittee notifies the DE in accordance with the "Notification" General Condition. For discharges in special aquatic sites, including wetlands, the notification must include a delineation of affected special aquatic sites.	N	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	N	Y	

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NWP 39. Residential, Commercial and Institutional Developments	10/404	PCN	Y	Discharge doesn't cause permanent loss of > 1/2 acre waters of the U.S. or > 300 linear feet of stream bed unless a waiver is obtained. PCN for loss of > 1/10 acre or any open waters including perennial intermittent streams below the OHW mark. PCN includes mitigation & onsite alternative analysis. Discharges of 1/10 acre or less = post construction report. Buffers for open waters or streams. Discharge of dredge or fill material for the construction or expansion or residential, commercial & institutional building foundation & building pads & attendant features taht are necessary for the use & maintenance of the structures. Simplified the "Subdivision provision. Aggregate total fill for subdivision cannot exceed 1/2=acre. Retain the 300 LF prohibition but allow a case by case waiver (for intermittent streams only) for work under NWP 39 provided that the Corps determines no more than minimal impacts. Perennial stream impacts over 300 LF are excluded from the case by case waiver. Maximum threshold should be 1/2 acre. Remove the one-cfs restriction on stream impacts. PCN for 1/10 acre limit of ephemeral streams. NWP 39 plus any other NWP cannot exceed ½ acre impact. PCN triggered at l	Y (#'s 1 & 7)	Y	1, 2, & 3	Y (#'s 4, 5, 6, 9, 10)	N	N	Nontidal waters of the U.S. excluding nontidal wetlands adjacent to nontidal waters.
NWP 40. Agricultural Activities	404			Retain the 300 LF prohibition but allow a case by case waiver (for intermittent streams only) for work under NWP 40 provided that the Corps determines no more than minimal impacts. Perennial stream impacts over 300 LF are excluded from the case by case waiver. PCN for 1/10-acre limit of ephemeral streams.	Y (#'s 1 & 7)	Y	1, 2, & 3	Y (#'s 4, 5, 6, 10)	N	N	
(i)...Discharges to improve agricultural production; USDA program participants		No PCN	Y	NRCS has lead. Discharge shall not cause a loss of > ½ acre of waters of the U.S. Post construction report ot the Corps within 30 days of completion. Permittee must have categorical, minimal effects exemption or mitigation exemption from NRCS. NRCS certified wetland delineation, compensatory plan.							Nontidal wetlands
(ii)...Discharges to improve agricultural production; Non USDA program participants		PCN	Y	Corps has lead. Discharge shall not cause a loss of > ½ acre of waters of the U.S. PCN for discharges > 1/10 acre. Mitigation included.							Nontidal wetlands
(iii)...Building pads for farm buildings		PCN	Y	Corps has lead. Discharge shall not cause a loss of > ½ acre of waters of the U.S. PCN for all impacts							Nontidal wetlands that were in agricultural production prior to Dec 23, 1985 (farmed wetlands)
(iv)...Relocation of existing serviceable drainage ditches		No PCN	Y	Corps has lead. Does not authorize relocation of > 300 linear feet of ditch. Limited to relocation of existing serviceable drainage ditches.							Nontidal streams
NWP 41. Reshaping Existing Drainage Ditches	404	PCN	Y	Discharge of dredge or fill material to modify the cross-sectional configuration or currently serviceable drainage ditches constructed in waters of the U.S. Work cannot increase drainage capacity beyond original design; Work cannot expand area drained; Center line of reshaped ditch must be same as original ditch; Does not authorize relocation; Excavated material placed on uplands; Does not apply to upland drainage ditches. PCN if > 500 linear feet of ditch is reshaped.	Y (#'s 1 & 7)	Y	1, 2, & 3	Y (#'2 4, 5, 6, 8, 9, 10)	N	Y	Nontidal waters of the U.S. excluding nontidal wetlands adjacent to tidal waters
NWP 42. Recreational Facilities	404	PCN	Y	Discharge shall not cause a loss of > ½ acre of waters of the U.S. or > 300 linear feet of stream bed unless waiver is obtained. PCN for loss > 1/10 acre, or > 300 linear feet of intermittent stream bed. Compensatory mitigation. Discharge of dredge or fill material for the construction or expansion or recreational facilities. Facility is integrated into natural landscape & does not substantially change preconstruction grades or deviate from natural landscape contours. Retains the 300 LF prohibition but allow a case by case waiver (for intermittent streams only) for work under NWP 42, provided that the Corps determines no more than minimal impacts. Perennial stream impacts over 300 LF are excluded from the case by case waiver. PCN for 1/10-acre limit of ephemeral streams.	Y (#'s 1 & 7)	Y	1, 2, & 3	Y (#'s 1, 3, 4, 5, 6, 9, 10)	N	Y	Nontidal waters of the U.S. excluding nontidal wetlands adjacent to tidal waters
NWP 43. Stormwater Management Facilities	404	PCN	Y	Discharge for new facilities shall not cause a loss of > ½ acre of waters of the U.S. or > 300 linear feet of stream bed. PCN for loss > 1/10 acre. PCN includes compensatory mitigation for new work & maintenance plan for maintenance work & onsite alternative analysis. New storm water management facilities in perennial streams is not authorized. Discharge of dredge or fill material for the construction and maintenance of storm water management facilities including excavation of ponds, detention basins & retention basins; installation & maintenance of water control structures; outfall structures & emergency spillways; maintenance dredging of existing ponds & detention /retention basins. Retains the 300 LF prohibition but allow a case by case waiver (for intermittent streams only) for work under NWP 43, provided that the Corps determines no more than minimal impacts. Perennial stream impacts over 300 LF are excluded from the case by case waiver. PCN for 1/10-acre limit of ephemeral streams.	Y (#'s 1 & 7)	Y	1 & 2	Y (#'s 3, 4, 5, 6, 9, 10)	N	Y	Nontidal waters of the U.S. excluding nontidal wetlands adjacent to tidal waters

Nationwide Permits (This chart last modified on 6/20/02) Changes to NWP's published 15 Jan 2002 in <u>Yellow Highlight and Bold.</u>	Authority(s)	PCN Req'd (Agency PCN if greater than 1/2 acre)	Delineation Req'd (Y/N)	Descriptions & Clarifications	State of TX & SWG Regional Conditions (Y/N)	TX CMP	401 BMP;s Req'd for TX	State of LA Regional Conditions (Y/N)	LA CMP Y/N	LA 401 Y/N	Area of Jurisdiction = All Waters (Unless Otherwise Noted)
NWP 44. Mining Facilities	10/404			Mined area plus acreage lost from support activities in waters of the U.S. cannot exceed ½ acre. PCN for all discharges - includes description of area affected, measures to minimize downstream turbidity, onsite alternative analysis & mitigation. Must not adversely effect the course, capacity or condition of navigable waters of the U.S. Must include measures to prevent increases in stream gradient and water velocities, prevent upstream and downstream adverse effects (head cutting, bank erosion).	Y (#'s 1 & 7)	Y	1, 2, & 3	Y (#'s 3, 4, 5, 6, 9, 10, 13)	N	N	
(i)...Aggregate Mining Activities		PCN	N	Does authorize support activities; No aggregate mining in stream beds with average annual flow > 1 cfs (does not include "ii"), or within 100 feet of the OHWM in those areas.							Isolated waters, streams w/annual avg. flow of 1 cfs, nontidal wetlands adjacent to headwater streams.
(ii)...Aggregate Mining Activities		PCN	N	Does not authorize support activities							Lower perennial streams excluding adjacent wetlands.
(iii)...Hard Rock/Mineral Mining Activities		PCN	N	Does authorize support activities; No mining can occur in waters of the U.S. within 100 feet of the OHWM of a headwater stream. Benefication and mineral processing may not occur within 200 l.f. of the OHWM or any open water body. Sect 402 permit may be required.							Isolated waters and nontidal wetlands adjacent to headwater streams.

NWP #	PreConstruction Notification Contents per NWP
NWP 1. Aids to Navigation	N/A
NWP 2. Structures in Artificial Canals	N/A
NWP 3. Maintenance	N/A
NWP 4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	N/A
NWP 5. Scientific Measurement Devices	N/A
NWP 6. Survey Activities	N/A
NWP 7. Outfall Structures and Maintenance	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). The PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed.
NWP 8. Oil and Gas Structures	N/A
NWP 9. Structures in Fleeting and Anchorage Areas	N/A
NWP 10. Mooring Buoys	N/A
NWP 11. Temporary Recreational Structures	N/A
NWP 12. Utility Line Activities	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)).
NWP 13. Bank Stabilization	N/A
NWP 14. Linear Transportation Crossings	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). The PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the U.S. and a statement describing how temporary losses of waters of the U.S. will be minimized to the maximum extent practicable.
NWP 15. U.S. Coast Guard Approved Bridges	N/A
NWP 16. Return Water From Upland Contained Disposal Areas	N/A
NWP 17. Hydropower Projects	N/A

NWP #	PreConstruction Notification Contents per NWP
NWP 18. <i>Minor Discharges</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)).
NWP 19. <i>Minor Dredging</i>	N/A
NWP 20. <i>Oil Spill Cleanup</i>	N/A
NWP 21. <i>Surface Coal Mining Activities</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing.
NWP 22. <i>Removal of Vessels</i>	N/A
NWP 23. <i>Approved Categorical Exclusions</i>	N/A
NWP 24. <i>State Administered Section 404 Program</i>	N/A
NWP 25. <i>Structural Discharges</i>	N/A
NWP 27. <i>Stream and Wetland Restoration Activities</i>	PCN must include documentation of the prior condition of the site that will be reverted by the permittee.
NWP 29. <i>Single-Family Housing</i>	The PCN must also include: (i) Any past use of this NWP by the Individual Permittee and/or the permittee's spouse; (ii) A statement that the single-family housing activity is for a personal residence of the permittee; (iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring 1/4-acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than 1/4-acre in size, formal wetland delineation must be prepared n accordance with the current method required by the Corps. (See paragraph 13(f)); (iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed.
NWP 30. <i>Moist Soil Management for Wildlife</i>	N/A
NWP 31. <i>Maintenance of Existing Flood Control Facilities</i>	The prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following: (i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased; (ii) A delineation of any affected special aquatic sites, including wetlands; and, (iii) Location of the dredged material disposal site.
NWP 32. <i>Completed Enforcement Actions</i>	N/A
NWP 33. <i>Temporary Construction, Access and Dewatering</i>	PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources.
NWP 34. <i>Cranberry Production Activities</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)).
NWP 35. <i>Maintenance Dredging of Existing Basins</i>	N/A
NWP 36. <i>Boat Ramps</i>	N/A
NWP 37. <i>Emergency Watershed Protection and Rehabilitation</i>	N/A
NWP 38. <i>Cleanup of Hazardous and Toxic Waste</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)).
NWP 39. <i>Residential, Commercial and Institutional Developments</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the U.S. were achieved on the project site; PCN must include a compensatory mitigation proposal to offset losses of waters of the U.S. or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed.
NWP 40. <i>Agricultural Activities</i>	PCN must include a compensatory mitigation proposal to offset losses of waters of the U.S. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively.

NWP #	PreConstruction Notification Contents per NWP
NWP 41. <i>Reshaping Existing Drainage Ditches</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)).
NWP 42. <i>Recreational Facilities</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). The PCN must include a compensatory mitigation proposal to offset losses of waters of teh U.S. or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater that 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed.
NWP 43. <i>Stormwater Management Facilities</i>	PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f)). The PCN must also include a written statement to the District Engineer explaining how avoiance and minimization for losses of waters of the U.S. were achieved on the project site. The PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the U.S. For discharges that cause the loss of greater than 400 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed.
NWP 44. <i>Mining Facilities</i>	PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of water of the U.S. were achieved on the project site. The PCN must include a description of all waters of the U.S. adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the U.S., a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities.

Regional Condition #	Regional Conditions for Texas Overall and Galveston District Specifically per NWP <i>A description of pitcher plant bogs, Baldcypress-Tupelo Swamps, Mangrove Marshes,and Coastal Dune Swales will follow at end of Regional Conditions.</i>
#1 (Texas)	For all discharges proposed into the following habitat types or specific areas, the applicant shall notify the appropriate District Engineer in accordance with the NWP General Condition 13. The Corps will coordinate with the resource agencies as specified in NWP General Condition 13(e). The habitat types or areas are:
	a. Wetlands, typically referred to as pitcher plant bogs , that are characterized by an organic surface soil layer and include vegetation such as pitcher plants (<i>Sarracenia</i> sp.), sundews (<i>Drosera</i> sp.), and sphagnum moss (<i>Spagnum</i> sp).
	b. Baldcypress-Tupelo Swamps : Wetlands comprised predominantly of baldcypress trees (<i>Taxodium distichum</i>), and water tupelo trees (<i>Nyssa aquatica</i>), that are occasionally or regularly flooded by fresh water. Common associates include red maple (<i>Acer rubrum</i>), swamp privet (<i>Forestiera acuminata</i>), green ash (<i>Fraxinus pennsylvanica</i>) and water elm (<i>Planera aquatica</i>). Associated herbaceous species include lizard's tail (<i>Saururus cernuus</i>), water mermaid weed (<i>Proserpinaca</i> spp.), buttonbush (<i>Cephalanthus occidentalis</i>) andsmartweed (<i>Polygonum</i> spp.). (Eyre, F.H. Forest Cover Types of the United States and Canada. 1980. Society of American Foresters, 5400 Grosvenor Lane, Washington, D.C. 20014. Library of Congress Catalog Card No. 80-54185.)
#5 (SWG)	No discharges within 500 feet of a seagrass bed or oyster reef.
#6 (SWG)	For all 3-D seismic test discharges conducted within the coastal zone of Texas pursuant to NWP 6, the applicant shall notify the District Engineer in accordance with the NWP General Condition 13.
#7 (SWG)	No authorized discharges into the following waters of the United States within the coastal zone of Texas:
	a. Mangrove Marshes - Wetlands within the Texas Gulf Coastal Plain that are occassionally or regularly flooded by brackish or saline water and have more than 40 percent cover by woody plants. The dominant woody species in this environment is the black mangrove (<i>Avicennia germinans</i>) with a dominant herbaceous species component of smooth cordgrass (<i>Spartina alterniflora</i>). Preliminary Guide to Wetlands of the Gulf Coastal Plain. 1978. Technical Report - U.S. Army Engineer Waterways Experiment Station: Y-78-5. P.O. Box 631, Vicksburg, Miss. 39180.)
	b. Coastal Dune Swales - "Wetlands and other waters of the United States that are formed as depressions within and among multiple beach ridge barriers, dune complexes, or dune areas adjacent to beaches fronting the tidal waters of the Gulf of Mexico and adjacent to the tidal waters of bays and estuaries. Coastal dune swales are generally comprised either of impermeable muds that act as reservoirs which collect precipitation or of groundwater nourished wetlands in sandy soils. As such, they generally have a high fresh to brackish water table. Vegetation species characteristically found in coastal dune swales include but are not limited to marshhay cordgrass (<i>Spartina patens</i>), gulfdune paspalum (<i>Paspalum monostachyum</i>), bulrush (<i>Scirpus</i> spp.), seashore paspalum (<i>Paspalum vaginatum</i>), common reed (<i>Phragmites australis</i>), grounsel bush (<i>Baccharis halimifolia</i>), rattlebush (<i>Sesbania drummondii</i>), camphor weed (<i>Pluchea camphorata</i>), smartweed (<i>Polygonum</i> spp.), water hyssop (<i>Bacopa monnieri</i>), cattail (<i>Typha</i> spp.) umbrella sedge (<i>Cyperus</i> spp.), sofrush (<i>Juncus</i> spp.), sedge (<i>Carex</i> spp.), beakrush (<i>Rhynchospora</i> spp.), frog-fruit (<i>Phyla</i> spp.), duckweed (<i>Lemna</i> spp.), buttonweed (<i>Diodia virginiana</i>), mist flower (<i>Eupatorium coelestinum</i>), creeping spotflower (<i>Acmedla oppositifolia</i> var. <i>repens</i>), pennywort (<i>Hydrocotyle</i> spp.), and bushy bluestem (<i>Andropogon glomeratus</i>)." (U.S. Fish and Wildlife Service, Houston, Texas, and the Texas General Land Office, Austin, Texas).
#8 (SWG)	For all discharges and work proposed in tidal waters, the applicant shall notify the Galveston District Engineer in accordance with the NWP General Condition 13. The Corps will coordinate with the National Marine Fisheries Service in accordance with NWP General Condition 13(e).

Regional Condition #	Regional Conditions for Louisiana Counties
#1 (LA)	PCN required for NWP 42 for any activities proposed in streams designated by the Louisiana Department of Wildlife and Fisheries as Natural and Scenic, and for any activities in Caddo Lake and Catahoula Lake. See list of Louisiana's Natural and Scenic Rivers at the following internet site: http://www.mvn.usace.army.mil/ops/regulatory/scenic.htm
#2 (LA)	PCN required for seismic survey activities. Upon receipt of a PCN, the District Engineer shall immediately forward a copy of the notification to the natural resource agencies in accordance with General Condition 13(e), regardless of impact acreage.
#3 (LA)	NWP 12, 14, 27 part (iv), 29, 42 and 44: Upon receipt of a PCN, the District Engineer shall immediately forward a copy of the PCN to the U.S. Fish and Wildlfe Service in accordance with General Condition 13(e), regardless of acreage impact. For NWP 43, upon receipt, the District Engineer shall immediately forward a copy of the PCN to the U.S. Fish and Wildlife Service in accordance with General Condition 13(e), for activities that would partially or completely impound streams.

#4	(LA)	No activitiy may cause the permanent loss of greater that 1/2 of an acre of seasonally inundated Cypress swamp and/or cypress-tupelo swamp.
#5	(LA)	No activity may cause the permanent loss of greater than 1/2 of an acre of Pine Savanna, Pine Flatwoods and/or Pitcher Plant Bogs.
#6	(LA)	No activity is authorized under any NWP which has been determined to have an adverse impact upon a Federal or State designated rookery and/or bird sanctuary.
#7	(LA)	NWP 12: For every 500 linear feet of sidecast material along the utility line trench, a 50-foot gap shall be required. Under certaincircumstances the gap intervals may be modified. Additionally, no fill shall be placed in a manner which would impede natural watercourses.
#8	(LA)	NWP 41: No discharges shall be allowed under this NWP that would adversely impact mature riparian corridors.
#9	(LA)	Work under NWP's 39, 41, 42, 43 and 44 which result in the resuspension of dredged material shall be prohibited in Bayou d'Inde, the Inner Harbor Canal, Calcasieu River at the mouth of Bayou d'Inde, Harvey Canal, California Canal, and Bayous Trepagnier, Rigaud, Olsen and Verdine, Capitol Lake, Coon Island Loop, Devil's Swamp, and Tensas River (areas within and upstream of Tensas Natioal Wildlife Refuge), Ouachita River (areas within and upstream of the Upper Ouachita National Wildlife Refuge), Wham Brake drainage (Staulkinghead Creek, Little Bayou Boeuf, Bayou Lafourche and Lake Irwin).
#10	(LA)	Due to the occurrence of threatened or endangered species, notification shall be required for instream activities in the following waterways: Bayou Boeuf Tributaries in Rapides Parish: (Brown Creek, Mack Branch, Clear Creek, Little Brushy Creek, Loving Creek, Little Loving Creek, Long Branch, Bayou Clear, Castor Creek, Valentine Creek, and Little Bayou Clear), Amite River (LA Highway 37 at Grangeville to Port Vincent), Bogue Falaya River and Tributaries, Abita River and Tributaries, Bayou Chinchuba (between U.S. 190 and Louisiana Highway 59), West Pearl River, Bogue Chitto River and Tributaries, and Red River tributaries in Grant Parish (Black Creek, Swafford Creek, Cypress Creek, Beaver Creek, Cress Creek, Jordon Creek, Hudson Creek, Gray Creek, Moccasin Branch and James Branch).
#11	(LA)	No activities shall be authorized by NWP 27 that would convert tidal wetlands to another aquatic habitat type.
#12	(LA)	Activities authorized by NWP 7 that include the construction of intake structures must include adequate fish screening devices.
#13	(LA)	Stream relocations and stream diversions shall be prohibited under NWP 44 in perennial streams.

Handy Conversions
1 acre - 43,560 sq ft
½ acre - 21,780 sq ft
1/3 acre - 14,520 sq ft
1/10 acre - 4,356 sq ft
1 mile = 1760 yards
1 mile = 5280 feet

FORMULA CHART		
Perimeter	square	P = 4s
	rectangle	P = 2(l x w)
Area	square	A = s ²
	rectangle	A = lw
	triangle	A = bh/2
	trapezoid	A = ½ (b ₁ + b ₂)h

HYDRAULIC DREDGING FORMULAS	
<i>To find cubic yards for disposal area:</i>	
cy = $\frac{h(\text{acres})(43560)}{(1.25)(27)}$	cy = <i>cubic yards of dredge material</i> 1.25 = fluff factor acres = size of disposal area
<i>To find height of levee:</i>	
h = $\frac{\text{cy}(1.25)(27)}{\text{acres}(43560)}$	h = height l = length w = width
cy = $\frac{(h)(l)(w)}{27}$	

